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Attorneys for Defendant and Counter-Claimant, EVANGER'S DOG AND CAT  
FOOD CO., INC. and Defendant NUTRIPACK, LLC

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PARTY ANIMAL, INC.,

Plaintiff,

vs.

EVANGER'S DOG AND CAT FOOD  
CO., INC., an Illinois Corporation;  
NUTRIPACK, LLC, an Illinois Limited  
Liability Company; and DOES 1 through  
100, inclusive,

Defendants.

Case No. 2:17-cv-03422-PSG-FFM  
(Assigned to Hon. Philip S. Gutierrez,  
Courtroom 6A)

**AMENDED DECLARATION OF  
GREGORY A. BEDELL IN  
SUPPORT OF DEFENDANTS  
EVANGER'S DOG AND CAT  
FOOD., INC. AND NUTRIPACK,  
LLC'S MOTION  
FOR SUMMARY JUDGMENT  
AND MOTION TO SEAL**

Date: February 10, 2020  
Time: 1:30 p.m.  
Dept: 6A

Complaint filed: 05/05/2017  
Trial: 03/31/2020

**DEC. OF GREGORY A. BEDELL IN SUPPORT OF DEFENDANTS EVANGER'S DOG  
AND CAT FOOD CO., INC. AND NUTRIPACK, LLC'S MOT. SUMMARY JUDGMENT**

Case No. 2:17-cv-03422-PSG-FFM

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1 AND ALL RELATED ACTIONS.

2 I, GREGORY A. BEDELL, declare as follows:

3 1. I am an attorney licensed to practice law in the State of Illinois since May  
4 1985. I am also admitted in the State of New York, the United States District Court for  
5 the Northern District of Illinois, the United States Appellate Court for the Seventh  
6 Circuit and the United States Supreme Court; I have also appeared in numerous courts  
7 *pro hac vice* including the United States District Court for the District of Arizona,  
8 United States District Court for the District of Minnesota, United States District Court  
9 for the Northern District of Indiana, and United States District Court for the Western  
10 District of Washington. I graduated from law school in August, 1984.

11 2. I am one of the attorneys for the Defendants in this case and have been  
12 admitted *pro hac vice* before this Court. I have personal knowledge of the matters set  
13 forth herein; if called as a witness, I could competently and verily testify thereto.

14 3. Attached hereto as Exhibit "A" are various billing invoices from  
15 Nutripack LLC to Plaintiff Party Animal, Inc. and were documents produced in this  
16 case and used in deposition. True and correct copies of the subject billing invoices are  
17 attached hereto as Exhibit "A."

18 4. Attached hereto as Exhibit "B" is a true and correct copy of Plaintiff's  
19 Supplemental Responses to Defendant Evanger's Dog and Cat Food Co., Inc.'s  
20 Interrogatories, Set One that was served on Defendants.  
21  
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1           5. Attached hereto as Exhibit “C” is a March 29, 2017 letter from Chelsea  
2 Sher of NutriPack, to Distributors and was a document produced in this case and used  
3 in deposition. True and correct copies of the subject letter is attached hereto as Exhibit  
4 “C.”  
5

6           6. The transcripts of depositions offered as exhibits with the Motion for  
7 Summary Judgment of EVANGER’S DOG AND CAT FOOD COMPANY, INC.,  
8 (“Evanger’s”) and defendant NUTRIPACK, LLC, (“Nutripack” and collectively  
9 “Defendants”) are, to the best of my knowledge and belief, true and accurate copies of  
10 the depositions transcribed.  
11

12           7. The depositions, which involved officers of plaintiff PARTY ANIMAL,  
13 INC. (“PA”), contain testimony relating to the formulas and formulation of PA’s  
14 products, the internal business processes, strategies, and financial issues of PA.  
15 Because of this, many portions of the deposition were designated “confidential” and  
16 are subject to the Protective Order in this case [Document 108].  
17

18           8. On November 12, 2019, the Deposition of Shawna Abrams was conducted  
19 at Martorell Law PC Los Angeles before a certified reporter. A written transcript of  
20 that deposition was made and sent to me by TSG Reporting. Attached hereto is a true  
21 and correct copy of said deposition transcript as Exhibit “D.”  
22

23           9. On September 25, 2019, the deposition of Daryl Abrams was conducted at  
24 Martorell Law PC Los Angeles before a certified reporter. A written transcript of that  
25

1 deposition was made and sent to me by TSG Reporting. Attached hereto is a true and  
2 correct copy of said deposition transcript as Exhibit “E.” The testimony in this  
3 transcript has been designated as confidential and is subject to the Protective Order.  
4

5 10. On November 11, 2019, the second session of the deposition of Daryl  
6 Abrams was conducted at Martorell Law PC Los Angeles before a certified reporter.  
7 A written transcript of that deposition was made and sent to me by TSG Reporting.  
8 Attached hereto is a true and correct copy of said deposition transcript (Volume II) as  
9 Exhibit “F.” The testimony in this transcript has been designated as confidential and is  
10 subject to the Protective Order.  
11  
12

13 11. On November 26, 2019, the deposition of Mark Boonark was conducted  
14 at Martorell Law PC Los Angeles before a certified reporter. A written transcript of  
15 that deposition was made and sent to me by TSG Reporting. Attached hereto is a true  
16 and correct copy of said deposition transcript as Exhibit “G.”  
17

18 12. On December 2, 2019, the deposition of Brad Kriser was conducted at  
19 Martorell Law PC Los Angeles before a certified reporter. A written transcript of that  
20 deposition was made and sent to me by TSG Reporting. Attached hereto is a true and  
21 correct copy of said deposition transcript as Exhibit “H.”  
22  
23

24 13. Because of the confidential designations, and good cause appears thereon,  
25 the Defendants will be moving in a separate application, concurrently with the filing of  
26 the motion, for leave to file the transcripts under seal.  
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